FILED

JAN 22 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8032

UNITED STATES OF AMERICA Plaintiff, v. Jesus QUINTANA-Grijalva, Defendant	Magistrate Case No.: COMPLAINT FOR VIOLATION OF 21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)

The undersigned complainant being duly sworn states:

That on or about January 21, 2008 within the Southern District of California, defendant Jesus QUINTANA-Grijalva, did knowingly and intentionally import approximately 39.06 kilograms (85.93 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Section 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Enrique Torregrosa Special Agent
U. S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 22nd DAY OF January 2008.

PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

UNITED STATES OF AMERICA
v.
Jesus QUINTANA-Grijalva

STATEMENT OF FACTS

This complaint is based on the reports, documents, and notes furnished to U. S. Immigration and Customs Enforcement Special Agent Enrique Torregrosa.

On January 21, 2008, at approximately 2102 hours, Jesus QUINTANA-Grijalva entered the United States from the Republic of Mexico via the Calexico, California West Port of Entry. QUINTANA was the driver and sole occupant of a 1999 Dodge Ram pick up truck bearing California U.S. plate 6B11785.

Customs and Border Protection Officer (CBPO) Esparza contacted QUINTANA and obtained a negative oral Customs declaration. CBPO Esparza asked about the vehicle he was driving and about the purpose of his visit to Mexico. QUINTANA stated that it was a friend's truck and that he went to eat tacos in Mexicali. CBPO Esparza noticed that QUINTANA was nervous his nervous demeanor included trembling of hands. CBPO Esparza referred QUINTANA and the truck to vehicle secondary lot for further inspection.

Upon arrival of QUINTANA to the vehicle secondary lot, CBPO Garcia contacted the driver and obtained a negative Customs declaration. CBPO Garcia also noticed that QUINTANA was nervous, he was very talkative. CBPO Garcia asked him about the truck he was driving and QUINTANA stated that it was his friend's truck and he borrowed the truck to go to San Diego to see a doctor.

CBPO Leon screened the truck utilizing his Human/Narcotic Detector Dog (HNDD) and his HNDD alerted to the gas tank area. At this time CBPO Garcia tapped the gas tank and sounded solid.

QUINTANA was escorted to the vehicle secondary office where a pat-down was conducted with negative results.

A subsequent search of the gas tank by CBPO Garcia revealed twenty-two packages concealed within the gas tank of the truck and fifteen packages concealed within the spare tire of the truck. The approximate weight of the packages was 39.06 kilograms (85.93 pounds). CBPO Garcia probed one package, which produced a green leafy substance, which field-tested positive for marijuana.